

**ENTERED**

April 30, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

HUMBERTO ROSALES CRUZ,

Plaintiff,

v.

RODRIGUEZ, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:19-CV-297

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Before the Court is Magistrate Judge Jason B. Libby's Memorandum and Recommendation (M&R), entered on March 9, 2020. (D.E. 36). The M&R recommends that the Court deny Plaintiff's Motion to Reopen Complaint. (D.E. 31).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the magistrate judge's memorandum and recommendation is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its

entirety. (D.E. 36). Accordingly, the Court **DENIES** Plaintiff's Motion to Reopen Complaint. (D.E. 31).

SIGNED and ORDERED this 30th day of April 2020.

A handwritten signature in black ink, appearing to read 'DSM', is written over a horizontal line.

DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE